

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 1209
HOUSE BILL 1561

AN ACT TO INCORPORATE THE TOWN OF MOORESBORO IN CLEVELAND COUNTY.

The General Assembly of North Carolina enacts:

Section 1. The Town of Mooresboro, as described in the charter enacted by Section 2 of this act, is hereby incorporated.

Sec. 2. The Charter of the Town of Mooresboro reads as follows:

"THE CHARTER OF THE TOWN OF MOORESBORO.

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

"Sec. 1.1. Incorporation and corporate powers. The inhabitants of the Town of Mooresboro are a body corporate and politic under the name of the 'Town of Mooresboro'. Under that name the Town shall have all the powers, duties, rights, privileges, and immunities conferred and imposed on cities by the general law of North Carolina.

"CHAPTER II.

"CORPORATE BOUNDARIES.

"Sec. 2.1. Town boundaries. Unless and until modified in accordance with law, the boundaries of the Town of Mooresboro are a circle with a radius of three-fourths (3/4) mile with its center point located at the center of the intersection of public highways 1167 and 1168 in the Town of Mooresboro.

"CHAPTER III.

"GOVERNING BODY.

"Sec. 3.1. Structure of governing body; number of members. The governing body of the Town of Mooresboro shall be a board of commissioners, composed of five members. There shall be a mayor who shall have the powers conferred upon mayors as provided in Chapter 160A of the General Statutes.

"Sec. 3.2. Temporary officers. Until the initial election provided for by Sec. 4.4 of this Charter, B. A. Marshall is hereby appointed mayor. Vicky Lucas, Betty Bridges, Moses Johnson, John Z. McBrayer, and David Morrison are hereby appointed members of the Board of Commissioners of the Town of Mooresboro, and they shall possess and may exercise the powers granted to the board of commissioners until their successors are elected and qualified pursuant to this Charter.

"CHAPTER IV.

"ELECTIONS.

"Sec. 4.1. Conduct of Town elections. Town officers shall be elected on a nonpartisan basis and the results determined by a majority of votes cast, with a run-off election if necessary, as provided by G.S. 163-279(a)(4) and G.S. 163-293. Elections shall be conducted as provided in Articles 23 and 24 of Chapter 163 of the General Statutes.

"Sec. 4.2. Manner of election of board; term of office. The qualified voters of the entire Town shall elect the members of the board. Members shall be elected for staggered terms of four years as provided in Secs. 4.5 and 4.6 of this Charter.

"Sec. 4.3. Election of mayor; term of office. The qualified voters of the entire Town elect the mayor. He shall be elected to a four-year term of office beginning with the first regular municipal election in 1979.

"Sec. 4.4. The initial election for mayor and board of commissioners of the Town of Mooresboro shall be held at the time of municipal elections in 1979. The Cleveland County Board of Elections shall conduct the election, and the election and run-off election method of election shall be used. The board of elections shall determine the eligible voters of the Town pursuant to G.S. 163-288.2. The filing fee for this election shall be five dollars (\$5.00).

"Sec. 4.5. In the 1979 regular municipal election for the board of commissioners, the three candidates receiving the highest number of votes and a majority as determined by G.S. 163-293 shall be elected to four-year terms of office, and two candidates receiving the next highest number of votes and a majority of votes shall be elected to two-year terms of office.

"Sec. 4.6. After the 1979 election, all persons elected to the board of commissioners shall be elected to four-year terms of office.

"CHAPTER V.
"ADMINISTRATION.

"Sec. 5.1. Town to operate under mayor-council plan. The town of Mooresboro shall operate under the mayor-council plan as provided in G.S. Chapter 160A, Article 7, Part 3."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 16th day of June, 1978.